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THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.8

AMARAVATI, MONDAY, FEBRUARY 26, 2024

G.3912

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**DISTRICT EDUCATIONAL OFFICER,
KURNOOL.**

Procs.Rc.No.6355/B1/B2/2021.

Date: 23.12.2023.

Sri K.SUBRAMANYAM. FORMER SGT, MPPS. SUNKESULA (V), MIDTHUR (M) NOW WORKING AT MPPS. S. KOTTALA (V), KOSIGI (M) WHO IS UNAUTHORIZED ABSENT TO DUTIES SINCE 18.10.2017 TO 23.03.2021 (03 YEARS 05 MONTHS 06 DAYS) - REMOVED FROM SERVICE.

- Read:- 1)G.O.MS.No.127, Dt:15.09.2017 of the General Administration (Ser.C) Department, Govt. A.P.
2)Procs.Rc.No.13026/27/2018-EST 3-CSE, Dt: 16.06.2020 of the Commissioner of School Education, A.P, Amaravathi.
3) Lr.dt.23.01.2018 of the Headmaster, MPPS, Sunkesula (V), Midthur (M)
4) Lr.Dt.24.02.2018 of the Mandal Educational Officer, Midthur
5) Lr Dt.26.03.2019 of the Mandal Educational Officer, Midthur.
6) Representation dt.09.01.2020 Sri K.Subramanyam, SGT, MPPS, Sunkesula.
7) This office Prods.Rc.No.137/B1/2019 Dt. 10.01.2020.
8) Lr.Dt.27.01.2020 of the Mandal Educational Officer, Midthur.
9)Representation dt. Nil of Sri K.Subramanyam, SGT, MPPS, Sunkesula (V), Midthur.
10)This office Show Cause Notice Dt. 30.09.2020
11) Lr.Rc.No.Spl/2020, dt:09.10.2020 of the Mandal Educational Officer, Midthur.
12)This office Lr.Rc.No.137/B1/2019 dt.27.04.2021
13)Memo.No.ESE02-14027/44/2021-EST4-CSE Dt. 08.05.2021 of the Director of School Education, AP., Amaravathi
14)This office Prods.Rc.No. 137/B1/2019 Dt:17.05.2021.
15)This office Prods.Rc.No. 137/B1/2019-1 Dt:17.05.2021.
16)Lr.No.SSJ/NDL/450/2021 Dt. 24.08.2021 of the Superintendent, Special Sub Jail, Nandyal.
17)This office Prods.Rc.No.6355/B1/2021, Dt. 24.08.2021 (Suspension orders)

- 18) This office Prods.Rc.No.6355/B1/2021, Dt. 09.09.2021 (AOC Framed)
- 19) This office Procs Rc.No:6355/B1/2021, Dt: 10.12.2021 & 05.01.2022 (Remainder).
- 20) This Office Rc.No.6355/B1/2021, Dt:20.01.2022 (Show Cause Notice).
- 21) Written defense statement/explanation, Dt:Nil received on 29.01.2022 of Sri. K. Subramanyam, SGT under suspension.
- 22) This Office Procs Rc.No:6355/B1/2021, Dt:24.08.2022 (Suspension revoke).
- 23) This Office Procs Rc.No: 6355/B1/2021, Dt:22.02.2023 (Inquiry Officer appointed).
- 24) This Office Procs Rc.No: 6355/B1/B2/2021, Dt:19.08.2023 (Inquiry Officer appointed).
- 25) This Office Procs Rc.No: 6355/B1/B2/2021, Dt:19.08.2023 (Presenting Officer appointed).
- 26) Inquiry report of the Inquiry Officer, Dt:15.11.2023.
- 27) This Office Rc.No: 6355/B1/B2/2021, Dt:07.12.2023 (Final Show Cause Notice).
- 28) Representation, Dt:11.12.2023 of K.Subramanyam, SGT, MPPS, S. Kottala (V), Kosigi.
- 29) This Office Procs Rc.No: 6355/B1/2021, Dt:19.12.2023 along with the Telugu translated copy of the Final Show Cause Notice.
- 30) Explanation, Dt: 23.12.2023 of K.Subramanyam, SGT, MPPS, S. Kottala (V), Kosigi.

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ORDER:

In the reference 2nd read above, the Commissioner of School Education, A.P., Amaravathi has sent Government vide G.O.Ms.No.127 GAD (Ser-c) Dept., dt:15.09.2017 have issued amendment to APCS (CC&A) Rules, 1991, Rule 9 as "After Clause (ix) of Rule 9 of said rules the following shall be incorporated; Provided that a Government Servant shall be deemed to have been removed from service, if he / she :

- (a) is absent from duty without authorization for a period exceeding one year; or
- (b) Remains absent from duty for a continuous period exceeding 5 years with or without leave; or
- (c) Continues on foreign service beyond the period approved by the State Government."

In the reference 4th read above, the Mandal Educational Officer, Midthur has stated that, Sri K.Subramanyam, SGT, MPPS, Sunkesula (V), Midthur (M) is not attending the school since 20.10.2017 and not applied any kind of leave. The Headmaster, MPPS, Sunkesula (V), Midthur (M) has also addressed a letter dt. 23.01.2018 to the Mandal Educational Officer, Midthur (received by MEO, Midthur on 25.01.2018) duly stating that Sri K.Subramanyam, SGT, MPPS, Sunkesula (V), Midthur (M) is not attending the school duties from 20.10.2017 (04 months) and also not applied any leave. But, the said teacher was not made any representation of sanction of leave.

In the reference 5th read above, the Mandal Educational Officer, Midthur has addressed a letter duly stating that, Sri K.Subramanyam, SGT, MPPS, Sunkesula(V), Midthur(M) was not attending to duties from 20.10.2017, now he has sent a letter by register post on 25.03.2019 requesting to give permission to join duty from 21.03.2019 and sanction of EOL from 20.10.2017. After examination of the proposals submitted by the Mandal Educational Officer, Midthur, it is noticed that, the said teacher has not taken any prior leave permission orders.

In the reference 6th read above, Sri K.Subramanyam, SGT, MPPS, Sunkesula(V), Midthur (M) has submitted a representation and duly stating that he was on leave from 20.10.2017 to 20.03.2019 and requested to issue re-posting orders and to sanction his leave period from 20.10.2017 to 20.03.2019 as medical leave and thereafter to sanction EOL.

In the reference 7th read above, this office issued instructions to the Mandal Educational Officer, Midthur to submit detailed report on his evading duties with prior permission or without prior permission of the concerned authorities. Accordingly, in the reference 8th read above, the Mandal Educational Officer, Midthur submitted his report and stated that, Sri K.Subramanyam, SGT, MPPS, Sunkesula(V), Midthur(M) was un-authorized absent to duties from 20.10.2017 to 20.03.2019 without prior permission and requested to issue re-posting orders to said individual.

In the reference 9th read above, Sri K.Subramanyam, SGT, MPPS, Sunkesula (V), Midthur (M) has submitted representation and requesting to issue re-posting orders by stating that he was on medical leave due to his ill-health duly enclosing the Medical Certificates for the period i.e., 18.10.2017 to 11.02.2020.

In the reference 10th read above, this office has issued a Show Cause Notice to Sri K.Subramanyam, SGT, MPPS, Sunkesula(V), Midthur(M) to submit his explanation for un-authorized absent to duties from 18.10.2017. Accordingly, in the reference 11th read above, the Mandal Educational Officer, Midthur has submitted the explanation of Sri K.Subramanyam, SGT, MPPS, Sunkesula(V), Midthur(M) for taking further action in the matter in which Sri K.Subramanyam, SGT, MPPS, Sunkesula(V), Midthur(M) has submitted his explanation duly stating that he was not un-authorized absent to duties and he was on leave on Medical grounds from 18.10.2017 to 20.03.2019 and extended his Medical Leave up to 12.02.2020 and further upto 14.07.2020 and stated that he submitted letters through the Mandal Educational Officer, Midthur from 24.02.2018, 26.03.2019 and 27.01.2020 and requested to issue re-posting orders.

In the reference 12th read above, this office has addressed a letter to the Director of School Education, AP, Amaravathi with a request to issue necessary instructions regarding the issue of joining of the individual in the left over vacancies.

In the reference 13th read above, the Director of School Education, AP., Amaravathi has accorded permission to issue posting orders to Sri K.Subramanyam, SGT in the left over vacancies except blocked vacancies as per the guidelines issued vide Prods.Re.No.1118/D2-1/2010-2 Dt. 01.10.2010 of the Commissioner and Director of School Education, AP., Hyderabad and to take disciplinary action against the said teacher and Mandal Educational Officer, Midthur as per APCS (CCA), Rules, 1991 duly following the procedure.

Accordingly, Sri K.Subramanyam, SGT was reposted at MPPS, S.Kottala (V), Kosigi (M) vide reference 14th read above under pending disciplinary action against him and he joined duty at MPPS, S.Kottala (V), Kosigi (M) on 21.05.2021.

In the reference 15th read above, instructions were issued to the Deputy Educational Officer, Kurnool to conduct a detailed enquiry and submit report to this office to initiate disciplinary action against Sri K.Subramanyam, SGT and Mandal Educational Officer, Midthur as per the instructions issued by the DSE, AP., Amaravathi .

In the reference 16th read above, the Superintendent, Special Sub Jail, Nandyal, Kurnool District has informed this office that, remand Prisoner 8433-Kammari Subramanyam, S/o Rangaiah was admitted in jail on 27.09.2019 at 2.00 PM in a CC.No.484/2016 U/S 138 of NI Act on the file of the Hon'ble Special Magistrate, Nandyal and was released from the said jail on bail on 10.10.2019 at 4.50 PM and the said teacher was in imprisonment for 14 days in Sub Jail, Nandyal.

In the reference 17th read above, Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) was kept under suspension while working at MPPS, S.Kottala (V), Kosigi (M) with retrospective effect ie. With effect from 27.09.2019 i.e., date of his detention in the custody exceeding forty eight hours and involved himself in a criminal case Viz.CC.no.484/2016U/S 138 of NI Act on the file of the Hon'ble Special Magistrate, Nandyal from 27.09.2019 to 10.10.2019 at Special Sub Jail, Nandyal, Kurnool District and was released from the said jail on bail on 10.10.2019 at 4.50 PM and the said teacher was in imprisonment for 14 days in Sub Jail, Nandyal.

Accordingly, in the reference 18th read above, Article of charges framed against Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) now under suspension vide this office Prods.Rc.No.6355/B1/2021 Dt. 09.09.2021.

In the references 19th read above, remainders were issued to Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) (under suspension) directing to submit his written defense statement for the Article of Charges framed against him and in the reference 20th read above, Show Cause Notice was also issued to Sri K.Subramanyam, SGT directing him to submit his written defense statement to the Article of Charges framed against him vide reference 18th read above.

In the reference, 21st read above, Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) who was under Suspension has submitted his explanation to the Article of Charges framed against him and denied the charges and also the said teacher was revoked vide reference 22nd read above subject to pending disciplinary action.

In the reference 24th read above, Sri. Haleem Siddique, HM, Nehru Memorial Municipal High School, Adoni was appointed as Inquiry Officer to conduct detail Inquiry into the Article of Charges framed against Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) and submit inquiry report in place of Sri. U. J. Sukumar, Deputy Educational Officer, Adoni who was appointed as Inquiry Officer vide reference 23rd read above and in the reference 25th read above, Sri. Sudhakar Babu, School Assistant (PS), Nehru Memorial Municipal High School, Adoni was appointed as Presenting Officer regarding conduct of inquiry into the Article of Charges framed against Sri K.Subramanyam, SGT.

In the reference 26th read above, the Inquiry Officer has submitted inquiry report that the Article of Charges framed against Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) are held proved as follows:

Findings:

On the basis of documentary and oral evidence adduced in the case before me and in view of the reason given above, I hold that the following Charge is proved against Sri. K. Subramanyam, Dt:06.11.2023 acknowledgement

Charge No.1: Sri. K. Subramanyam involved in a criminal Case, namely .CC.No:484/2016/U/S 138 of NI Act on the file of the Honorable Special magistrate, Nandyal from 27.09.2019 to 10.10.2019, at a special Sub-Jail in Nandyal, Kurnool Dist. This is a serious case of misconduct he hidden and suppressed the facts on the pretext that he was on Medical Leave from the 18.10.2017 to 20.03.2019, he extended his Medical Leave up to 12.02.2020 and further up to 14.07.2020, they requested to issue

reposting orders by misleading the authorities. It is a clear case of misbehavior, misconduct and hiding of facts with a malafide intention, misleading the higher authorities. With these acts and deeds, the aforementioned. Sri. K. Subramanyam, SGT violated AP Conduct Rules, 1964 and thereby is liable for disciplinary action under APCS(CCA) Rules, 1991. Hence, this Charge was proved.

Charge No.2: The Medical certificates stating that he could not able to perform his regular duties showed no signs off medical deviation or emergency during his jail stay. The medical certificate itself appears to be doubtful or false regarding his health.

In the reference 27th read above, Final Show Cause Notice was issued to Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) (un-authorized absent), instructing him to explain as to why action should not be taken against him to treat him as deemed to have been removed from service under clause (a) & (b) under rule-I of G.O.Ms.No.127 General Admn (Service C) Dept, dated: 05-09-2017 and also under F.R. 18.A, for the afore said irregularity and his unauthorized absence to duties caused most irreparable academic loss to the school children.

In the reference 28th read above, Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) (un-authorized absent) has submitted a representation requesting to issue Final Show Cause Notice in Telugu language as his medium of Education is in Telugu language.

Accordingly, in the reference 29th read above, Final Show Cause issued on 07.12.2023 vide reference 29th read above was translated into Telugu language and issued to Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M).

In the reference 30th read above, Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) has submitted his explanation to the Final Show Cause Notice issued.

The explanation submitted by Sri K.Subramanyam, SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) vide reference 30th read above is examined and not considered as the Charged Officer has not submitted any Leave Prior permission orders from the Appointing Authority i.e District Educational Officer, Kurnool for the period from 18.10.2017 to 23.03.2021(03 years 05 months 06 days).

On examination of the entire issue / Chronological events, the Disciplinary authority has found the following charges proved against the Charged Officer:

- The then Mandal Educational Officer, Midthur in his detail report, Dt:27.10.22 which is submitted by the Deputy Educational Officer, Kurnool to the District Educational Officer, Kurnool vide Lr.rc.no:315/DYEO, Knl/2022, Dt:04.11.2022 regarding Unauthorized absence of the Charged Officer i.e Sri K.Subramanyam, SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) has declared the Charged Officer as **Unauthorized absent** and the Charged Officer has failed to take prior Permission orders from the Appointing authority, i.e District Educational Officer, Kurnool.

- The Charged Officer has not attended to duties (**Unauthorized absent**) for the period from **18.10.2017 to 23.03.2021 (03 years 05 months 06 days) without any Prior permission orders of the Appointing authority** and hence, there is dire need to take action as per FR 18 – A, Clause (a).
- The Charged has failed to submit Prior permission orders to undergo Medical Leave and also submitted Medical certificates for the period even though he stayed jail i.e As per the Lr.No.SSJ/NDL/450/2021 Dt. 24.08.2021 of the Superintendent, Special Sub Jail, Nandyal, remand Prisoner 8433-Kammari Subramanyam, S/o Rangaiah was admitted in jail on 27.09.2019 at 2.00 PM in a CC.No.484/2016 U/S 138 of NI Act on the file of the Hon'ble Special Magistrate, Nandyal and was released from the said jail on bail on 10.10.2019 at 4.50 PM and the said teacher was in imprisonment for 14 days in Sub Jail, Nandyal i.e from 27.09.2019 to 10.10.2019 and it clearly shows that the Charged Officer has cheated the Department Officials and deviated Rule 3 of APCS Rules, 1964.

After careful examination and as seen from the records, it is evident that Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) (Unauthorized absent to duties from 18.10.2017 to 23.03.2021) i.e 03 years 05 months 06 days is willful absent from duties. As per the norms contained in G.O.Ms.No.127 General Administration (Ser.C) Department, Govt.AP Dt: 15.09.2017 communicated in 13026/27/2018-EST 3-CSE, Dt: 16.06.2020 of the Commissioner of School Education, A.P, Amaravati, Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala (V), Kosigi (M) is deemed to have been removed from service as he has been absconded from duty willfully for a period exceeding one year (in fact more than 1 year i.e. from 18.10.2017 to 23.03.2021) under Rule 9 (ix) as amendment in the said Government order and accordingly, hereby impose the penalty of removal from service for his unauthorized absence for more than one year i.e 03 years 05 months 06 days. This penalty is imposed under Rule 9 (ix) of APCS (CC&A) Rule 1991 as amendment in G.O.MS.No.127, Dated: 15.09.2017 of the General Administration (Ser.C) Department, Govt.AP read with Rule 18. Note (4) of FR duly treating the unauthorized period from 18.10.2017 to 23.03.2021 as "dies-non".

Further, the Mandal Educational Officer, Kosigi (M) is instructed to take necessary action accordingly.

Receipt of these proceedings should be acknowledged.

Dr. V. RANGA REDDY,
District Educational Officer,
Kurnool.

To

Sri K.Subramanyam, Former SGT, MPPS, Sunkesula (V), Midthur (M) now working at MPPS, S. Kottala Kosigi (M) through the Mandal Educational Officer, Kosigi.

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